



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
**SAVANNAH DISTRICT, CORPS OF ENGINEERS**  
**NORTHERN SECTION**  
**1590 ADAMSON PARKWAY, SUITE 200**  
**MORROW, GEORGIA 30260-1777**

**OCT 26 2005**

Regulatory Branch  
200500265

**JOINT PUBLIC NOTICE**  
**Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200501912

Applicant: Mr. Preston Williams  
6400 Sugarloaf Parkway  
Duluth, Georgia 30097

Agent: Jordan, Jones & Goulding, Inc.  
Attention: Mr. Mark Ballard  
6801 Governors Lakes Parkway, Building 200  
Norcross, Georgia 30071

Location of Proposed Work: The site is located on the northwest corner of the intersection of Satellite Boulevard and Sugarloaf Parkway, in Gwinnett County, Georgia. The coordinates for this site are latitude 33°59'18" north and longitude 84°05'32" west.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: The applicant, Mr. Preston Williams, proposes to construct a 6.5-acre commercial development for the Gwinnett County Visitors Bureau, which will accommodate a state sponsored visitor's center. The project will include the visitor center building, a parking area, a small lake that has the dam incorporated into the footprint of the building, and a pedestrian trail along the stream and new lake. The applicant proposes to impact 360 linear feet of intermittent stream, 472 linear feet of perennial stream, and 1.33 acres of wetlands. Permanent impacts will be from fill for the building and parking area, and the dam and the flooding of the associated wetland and stream. The project proposes to fill 832 linear feet of jurisdictional stream and 1.33 acres of jurisdictional wetlands.

Due to limited opportunities for onsite mitigation, the applicant proposes to mitigate for unavoidable impacts by purchasing 3,850 stream credits and 10 wetland credits from a Corps approved mitigation bank in the service area. Prior to the approval of the purchase of wetland and/ or stream credits from a commercial mitigation bank as compensatory mitigation, an applicant must demonstrate through documentation to the US Army Corps of Engineers that the option of on-site and within basin mitigation has been thoroughly investigated, with no potential sites located.

## BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

## STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the Savannah District US Army Corps of Engineers, Regulatory Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.

## US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Review of the latest published version of the National Register of Historic Places indicates that there were 19 previously recorded sites located within a one mile radius. One site (9Gw311) was listed as potentially eligible for inclusion in the NRHP. Presently unknown archaeological, scientific, prehistorical, or historical data may be located at the site and could be affected by the proposed work.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation

of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

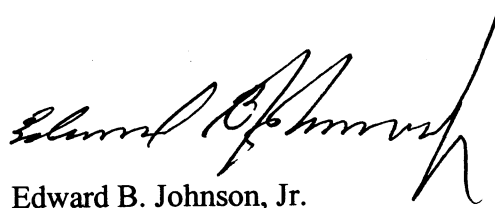
Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b) (1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, US Army Corps of Engineers, Savannah District, Regulatory Branch, Northern Section, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Mr. Gary Craig of the Regulatory Branch at (678) 422-2728.

A handwritten signature in black ink, appearing to read "Edward B. Johnson, Jr.", with a long, sweeping flourish extending from the end.

Edward B. Johnson, Jr.  
Chief, Northern Section

Enclosures

1. Site Location Map
2. Site Topographic Map
3. HUC Map
4. Soils Map
5. Jurisdictional Area Map
6. Conceptual Site Plan 1
7. Conceptual Site Plan 2